

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: By Chairman Bob Lake, on March 29, 2007 at 8:00 A.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Bob Lake, Chairman (R)
Rep. Jill Cohenour, Vice Chairman (D)
Rep. Jon Sonju, Vice Chairman (R)
Rep. Norma Bixby (D)
Rep. Mark Blasdel (R)
Rep. Edward B. Butcher (R)
Rep. Ron Erickson (D)
Rep. Wanda Grinde (D)
Rep. Robin Hamilton (D)
Rep. Edward Hilbert (R)
Rep. Mike Jopek (D)
Rep. Carol Lambert (R)
Rep. Gary MacLaren (R)
Rep. Dave McAlpin (D)
Rep. Bill Nooney (R)
Rep. JP Pomnichowski (D)
Rep. John (Jack) W. Ross (R)
Rep. Chas Vincent (R)

Members Excused: None.

Members Absent: None.

Staff Present: Jeff Martin, Legislative Branch
Debra Polhemus, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 842, 3/26/2007; HB843, 3/27/2007
Executive Action: SB 514; HB 832; HB 834; SB 332
SB 418; Committee Bill

HEARING ON HB 842

Opening Statement by Sponsor:

00:01:47 Rep. Hal Jacobson (D), HD 82, opened the hearing on HB 842, Tax incentive for inventor & manufacturer of product.

Proponents' Testimony:

00:04:03 Diane Bayuk, Inventor

Opponents' Testimony: None

Informational Testimony:

00:06:21 Brian Olsen, Department of Revenue

Questions from Committee Members and Responses:

00:07:34 Rep. Jopek
00:08:49 Michael Bayuk, Attorney, Helena
00:09:56 Rep. Lambert
00:10:50 Diane Bayuk
00:12:27 Chairman Lake
00:13:01 Rep. Lambert
00:13:17 Rep. Erickson
00:13:50 Brian Olsen
00:15:03 Rep. Nooney
00:15:41 Diane Bayuk
00:16:26 Rep. Erickson
00:17:03 Rep. Jacobson
00:17:32 Michael Bayuk
00:17:42 Rep. Butcher
00:18:46 Rep. Vincent
00:19:36 Michael Bayuk
00:19:55 Diane Bayuk

Closing by Sponsor:

00:21:04 Rep. Hal Jacobson

00:21:36 Rep. McAlpin left the hearing

HEARING ON HB 843

Opening Statement by Sponsor:

00:22:37 Rep. Llew Jones (R), HD 27, opened the hearing on HB 843, Property tax exemption for transmission line impacts to adjacent property.

Proponents' Testimony:

00:30:02 Sen. Jerry Black, SD 14
00:32:25 John Youngbird, representing Montana Farm Bureau
00:33:25 Steve Pilcher, representing Montana Stock Growers Association
00:33:57 Mike Murphy, representing Montana Water Resources Association
00:34:39 John Alke, representing Montana/Alberta Tie Line
00:36:17 Katie Kassmier, representing Montana Farmers Union
00:36:47 Pat Torgerson, representing Women In Farm Economics
00:37:18 Candace Payne, representing Southern Montana Electric Generation Co-Op

Opponents' Testimony: None

Informational Testimony:

00:38:40 Dallas Reese, Department of Revenue

Questions from Committee Members and Responses:

00:39:38 Rep. Pomnichowski
00:40:01 Rep. Jones
00:41:49 Dallas Reese
00:43:23 Rep. Jopek
00:44:07 Rep. Jones
00:46:45 Rep. Erickson
00:47:02 Rep. Nooney
00:47:42 Rep. Jones
00:48:05 Rep. Ross
00:48:46 Steve Pilcher
00:49:36 Rep. Jopek
00:50:19 Rep. Jones
00:50:58 Rep. Erickson
00:51:36 Rep. Jones
00:52:34 Rep. Cohenour
00:52:49 Rep. Jones
00:54:14 Chairman Lake
00:55:08 John Youngbird

Closing by Sponsor:

00:56:12 Rep. Llew Jones

01:00:53 Recess

01:21:46 Reconvene

EXECUTIVE ACTION ON SB 514

01:23:42 **Motion:** Rep. Sonju moved that **SB 514 BE CONCURRED IN.**

Discussion:

01:24:28 Rep. Nooney

01:24:51 Rep. Sonju

01:25:23 Jeff Martin

01:26:34 Chairman Lake

01:26:54 Rep. Cohenour

01:27:08 Jeff Martin

01:27:29 Rep. Erickson

01:27:43 Chairman Lake

01:28:41 Rep. Jopek

01:29:15 Rep. Nooney

01:29:36 **Vote:** **MOTION CARRIED** 11-7 by roll call vote with Reps. Bixby, Cohenour, Hamilton, Jopek, MacLaren, McAlpin, and Pomnichowski voting no and Rep. McAlpin voting by proxy. Rep. Nooney will carry SB 514.

EXECUTIVE ACTION ON SB 332

01:31:37 **Motion:** Rep. Cohenour moved that **SB 332 BE CONCURRED IN.**

01:32:00 **Motion:** Rep. Cohenour moved that **SB 332 BE AMENDED.**
EXHIBIT (tah67a01)

Discussion:

01:32:15 Jeff Martin

01:35:23 Rep. Cohenour

01:36:32 Rep. Lambert

01:36:52 Rep. Cohenour

01:37:14 Chairman Lake

01:37:58 Rep. Butcher

01:39:05 **Vote:** **MOTION CARRIED** 17-1 by voice vote with Rep. Butcher voting no and Rep. McAlpin voting by proxy.

01:39:31 **Motion:** Rep. Cohenour moved that **SB 332 BE CONCURRED IN AS AMENDED.**

Discussion:

01:39:41 Rep. Cohenour
01:41:02 Chairman Lake
01:41:30 Rep. Sonju
01:42:00 Jeff Martin
01:42:40 Rep. Cohenour
01:43:06 Rep. Grinde
01:43:28 Rep. Nooney
01:44:08 Rep. Sonju
01:44:55 Rep. Bixby
01:50:21 Rep. Cohenour

01:50:48 **Vote:** **MOTION FAILED** 8-10 by roll call vote with Reps. Bixby, Cohenour, Erickson, Grinde, Hamilton, Jopek, McAlpin, and Pomnichowski voting aye and Rep. McAlpin voting by proxy.

01:51:38 **Motion/Vote:** Rep. Cohenour moved that **SB 332 BE TABLED AND THE VOTE REVERSED. MOTION CARRIED** unanimously by voice vote with Rep. McAlpin voting by proxy.

EXECUTIVE ACTION ON HB 834

01:52:18 **Motion:** Rep. Cohenour moved that **HB 834 DO PASS.**

Discussion:

01:52:32 Rep. Cohenour
01:53:55 Chairman Lake
01:54:09 Rep. Cohenour
01:54:15 Jeff Martin
01:54:33 Rep. Cohenour
01:54:49 Chairman Lake
01:54:57 Jeff Martin
01:55:34 Rep. Cohenour
01:55:55 Rep. Bixby
01:56:19 Rep. Jopek

01:56:35 **Substitute Motion/Vote:** Rep. Cohenour made a substitute motion that **HB 834 BE TABLED. SUBSTITUTE MOTION CARRIED** 17-1 by voice vote with Rep. Erickson voting no and Rep. McAlpin voting by proxy.

EXECUTIVE ACTION ON COMMITTEE BILL

01:57:03 Rep. Jopek moved to **REQUEST AN INTERIM COMMITTEE BILL AND STUDY RESOLUTION** concerning issues contained in HB 834.

Discussion:

01:57:18 Rep. Butcher

01:57:48 Jeff Martin

01:57:55 **Vote:** **MOTION CARRIED** unanimously by voice vote with Rep. McAlpin voting by proxy.

EXECUTIVE ACTION ON SB 418

01:58:58 **Motion:** Rep. Sonju moved that **SB 418 BE CONCURRED IN.**

01:59:49 **Motion:** Rep. Sonju moved that **SB 418 BE AMENDED.**
EXHIBIT(tah67a02)

Discussion:

01:59:59 Jeff Martin

02:01:01 Rep. Erickson

02:01:19 Rep. Grinde

02:01:43 Rep. Erickson

02:02:13 Rep. MacLaren

02:02:52 **Vote:** **MOTION FAILED** 2-16 by roll call vote with Reps. Jopek and Ross voting aye and Rep. McAlpin voting by proxy.

Discussion:

02:04:43 Rep. Ross

02:06:08 Rep. Jopek

02:07:07 Rep. Erickson

02:08:17 Rep. Butcher

02:09:13 **Vote:** **MOTION FAILED** 8-10 by roll call vote with Reps. Bixby, Cohenour, Erickson, Grinde, Hamilton, Jopek, McAlpin, and Pomnichowski voting aye with Rep. McAlpin voting by proxy.

02:10:02 **Motion/Vote:** Rep. Sonju moved that **SB 418 BE TABLED AND THE VOTE REVERSED. MOTION CARRIED** unanimously by voice vote with Rep. McAlpin voting by proxy.

02:10:36 Chairman Lake left the hearing

EXECUTIVE ACTION ON HB 832

02:10:58 **Motion:** Rep. Cohenour moved that **HB 832 DO PASS.**

02:11:40 **Motion:** Rep. Cohenour moved that **HB 832 BE AMENDED.**
EXHIBIT(tah67a03)

Discussion:

02:11:53 Jeff Martin
02:14:21 Rep. Cohenour
02:15:14 Rep. Sonju
02:15:33 Jeff Martin
02:16:30 Rep. Cohenour
02:16:50 Rep. Sonju
02:17:04 Jeff Martin
02:22:23 Rep. Cohenour
02:23:46 Rep. Pomnichowski
02:25:24 Rep. Lambert

02:26:06 **Vote:** **MOTION CARRIED** unanimously by voice vote with
Reps. Lake and McAlpin voting by proxy.

02:26:39 **Motion:** Rep. Cohenour moved that **HB 832 DO PASS AS**
AMENDED.

02:26:45 **Motion/Vote:** Rep. Pomnichowski moved that **HB 832 BE**
AMENDED. MOTION CARRIED unanimously by voice vote with
Reps. Lake and McAlpin voting by proxy.
EXHIBIT(tah67a04)

02:28:14 **Motion:** Rep. Cohenour moved that **HB 832 DO PASS AS**
AMENDED.

Discussion:

02:28:40 Jeff Martin
02:28:55 Rep. Pomnichowski
02:29:07 Jeff Martin

02:29:34 **Motion:** Rep. Pomnichowski moved that **HB 832 BE**
AMENDED.
EXHIBIT(tah67a05)

02:30:04 **Substitute Motion/Vote:** Rep. Pomnichowski made a substitute motion that **HB 832 BE AMENDED** with only #2 portion of the amendment. **SUBSTITUTE MOTION CARRIED** unanimously by voice vote with Reps. Lake and McAlpin voting by proxy.

02:32:38 **Motion:** Rep. Cohenour moved that **HB 832 DO PASS AS AMENDED.**

Discussion:

02:33:39 Jeff Martin
02:35:45 Rep. Erickson
02:36:42 Rep. Lambert
02:37:33 Rep. Butcher
02:37:57 Rep. Pomnichowski
02:39:37 Rep. MacLaren
02:40:22 Rep. Cohenour
02:41:39 Rep. Jopek
02:42:30 Rep. MacLaren
02:43:09 Rep. Ross

02:43:52 **Vote:** **MOTION FAILED** 8-10 by roll call vote with Reps. Bixby, Cohenour, Erickson, Grinde, Hamilton, Jopek, McAlpin, and Pomnichowski voting aye with Reps. Lake and McAlpin voting by proxy.

02:44:43 **Motion/Vote:** Rep. Cohenour moved that **HB 832 BE TABLED AND THE VOTE REVERSED. MOTION CARRIED** unanimously by voice vote with Reps. Lake and McAlpin voting by proxy.

ADJOURNMENT

Adjournment: 11:45 A.M.

REP. BOB LAKE, Chairman

DEBRA POLHEMUS, Secretary

BL/dp

Additional Exhibits:

EXHIBIT ([tah67aad.pdf](#))